

Message Text

PAGE 01 STATE 100009

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ACDA/IR:DBLACK

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R 292245Z APR 75

FM SECSTATE WASHDC

TO USMISSION GENEVA

INFO AMEMBASSY MOSCOW

USMISSION USUN NEW YORK

C O N F I D E N T I A L STATE 100009

LIMDIS

C O R R E C T E D C O P Y (ADDITION OF CAPTION "LIMDIS")

E.O. 11652: XGDS-1 (DATE IMPOSSIBLE TO DETERMINE)

TAGS: PARM, PFOR, UR

SUBJECT: SOVIET DRAFT CW CONVENTION OF AUGUST 1974

1. FOR INFORMATION OF ADDRESSEES, FOLLOWING IS TEXT OF
SOVIET DRAFT CW CONVENTION ON WHICH WE PROVIDED SOVIETS
WITH COMMENTS AND QUESTIONS ON APRIL 28 (REPORTED SEPTEL).
(SOVIETS HANDED TEXT TO US PRIVATELY IN AUGUST 1974)

----- CONVENTION OF THE PROHIBITION
----- OF THE DEVELOPMENT, PRODUCTION AND STOCKPILING
----- OF HIGHLY TOXIC CHEMICAL MEANS OF WARFARE AND
----- ON THEIR DESTRUCTION
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PAGE 02 STATE 100009

THE STATES PARTIES TO THIS CONVENTION,
DETERMINED TO ACT WITH A VIEW TO ACHIEVING EFFECTIVE
PROGRESS TOWARDS GENERAL AND COMPLETE DISARMAMENT INCLUDING
FIRST OF ALL THE PROHIBITION AND ELIMINATION OF ALL TYPES OF

WEAPONS OF MASS DESTRUCTION,
CONVINCED THAT THE PROHIBITION OF THE DEVELOPMENT, PRO-
DUCTION AND STOCKPILING OF CHEMICAL WEAPONS AND THEIR ELIM-
INATION WILL FACILITATE THE ACHIEVEMENT OF GENERAL AND COM-
plete DISARMAMENT UNDER STRICT AND EFFECTIVE INTERNATIONAL
CONTROL,

DESIRING TO PROMOTE IN EVERY POSSIBLE WAY THE
ACHIEVEMENT OF THE RECOGNIZED OBJECTIVE OF THE EFFECTIVE
PROHIBITION OF CHEMICAL WEAPONS, REAFFIRMED IN THE
CONVENTION ON THE PROHIBITION OF THE DEVELOPMENT,
PRODUCTION AND STOCKPILING OF BACTERIOLOGICAL (BIOLOGICAL)
AND TOXIN WEAPONS AND ON THEIR DESTRUCTION,

CONVINCED THAT THE ACHIEVEMENT OF THE PROMPT PROGRESS
IN THIS DIRECTION WILL BE PROMOTED BY THE CONCLUSION, AS
A FIRST STEP, OF AN INTERNATIONAL CONVENTION CONCERNING
THE MOST DANGEROUS, LETHAL CHEMICAL MEANS OF WARFARE,

RECOGNIZING THE IMPORTANT SIGNIFICANCE OF THE GENEVA
PROTOCOL OF JUNE 19, 1925, FOR THE PROHIBITION OF THE
USE IN WAR OF ASPHYXIATING, POISONOUS OR OTHER GASES,
AND OF BACTERIOLOGICAL METHODS OF WARFARE, AND ALSO THE
CONTRIBUTION WHICH THE SAID PROTOCOL HAS ALREADY MADE,
AND CONTINUES TO MAKE, TO MITIGATING THE HORRORS OF WAR,

REAFFIRMING THEIR ADHERENCE TO THE PRINCIPLES AND
OBJECTIVES OF THAT PROTOCOL AND CALLING UPON ALL STATES
TO COMPLY STRICTLY WITH THEM,

DESIRING TO CONTRIBUTE TO A FURTHER RELAXATION OF
INTERNATIONAL TENSION,

DESIRING TO CONTRIBUTE TO THE REALIZATION OF THE
PURPOSES AND PRINCIPLES OF THE CHARTER OF THE UNITED
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CONFIDENTIAL

PAGE 03 STATE 100009

HAVE AGREED AS FOLLOWS:

----- ARTICLE I

(I) EACH STATE PARTY TO THIS CONVENTION UNDERTAKES
NEVER IN ANY CIRCUMSTANCES TO DEVELOP, PRODUCE, STOCKPILE
OR OTHERWISE ACQUIRE OR RETAIN:

(A) CHEMICAL AGENTS MENTIONED IN PARAGRAPH (2) OF
THIS ARTICLE OF TYPES AND IN QUANTITIES THAT HAVE NO
JUSTIFICATION FOR PEACEFUL PURPOSES;

(B) CHEMICAL MUNITIONS AND ANY OTHER MEANS OF
DELIVERY SPECIFICALLY DESIGNED TO USE SUCH AGENTS FOR

HOSTILE PURPOSES OR IN ARMED CONFLICTS.

2. THE OBLIGATION IN ACCORDANCE WITH PARAGRAPH (I) OF THIS ARTICLE SHALL EXTEND TO CHEMICAL AGENTS OF TOXICITY ABOVE LCT 50 1500 MG-MIN/M3 AS WELL AS TO AGENTS WHICH MAY BE COMPONENTS OF MIXTURES, WHICH, WHEN USED IN COMBAT, PRODUCE AGENTS OF TOXICITY EXCEEDING THE ABOVE-MENTIONED LEVEL.

ARTICLE II

EACH STATE PARTY TO THIS CONVENTION UNDERTAKES TO DESTROY, OR TO DIVERT TO PEACEFUL PURPOSES, AS SOON AS POSSIBLE BUT NOT LATER THAN 24 MONTHS AFTER THE ENTRY INTO FORCE OF THE CONVENTION, ALL CHEMICAL AGENTS, CHEMICAL MUNITIONS AND ANY OTHER MEANS OF DELIVERY SPECIFIED IN ARTICLE I OF THE CONVENTION WHICH ARE IN ITS POSSESSION OR UNDER ITS JURISDICTION OR CONTROL. IN IMPLEMENTING THE PROVISIONS OF THIS ARTICLE ALL NECESSARY SAFETY PRECAUTIONS SHALL BE OBSERVED TO PROTECT POPULATION AND THE ENVIRONMENT.

ARTICLE III

EACH STATE PARTY TO THIS CONVENTION UNDERTAKES NOT TO TRANSFER TO ANY RECIPIENT WHATSOEVER, DIRECTLY OR CONFIDENTIAL

PAGE 04 STATE 100009

INDIRECTLY, AND IN ANY WAY NOT TO ASSIST, ENCOURAGE, OR INDUCE ANY STATE, GROUP OF STATES OR INTERNATIONAL ORGANIZATIONS TO MANUFACTURE OR OTHERWISE ACQUIRE ANY OF THE CHEMICAL AGENTS, CHEMICAL MUNITIONS AND ANY OTHER MEANS OF DELIVERY SPECIFIED IN ARTICLE I OF THE CONVENTION.

ARTICLE IV

EACH STATE PARTY TO THIS CONVENTION SHALL, IN ACCORDANCE WITH ITS CONSTITUTIONAL PROCESSES, TAKE ANY NECESSARY MEASURES TO PROHIBIT AND PREVENT DEVELOPMENT, PRODUCTION, STOCKPILING, ACQUISITION OR RETENTION OF THE CHEMICAL AGENTS, CHEMICAL MUNITIONS AND ANY OTHER MEANS OF DELIVERY SPECIFIED IN ARTICLE I OF THE CONVENTION UNDER ITS JURISDICTION OR UNDER ITS CONTROL ANYWHERE.

ARTICLE V

THE STATE PARTIES TO THE CONVENTION UNDERTAKE TO CONSULT ONE ANOTHER AND TO CO-OPERATE IN SOLVING ANY PROBLEMS WHICH MAY ARISE IN THE APPLICATION OF THE PROVISIONS OF THIS CONVENTION. THE STATES PARTIES SHALL

EXCHANGE ON A VOLUNTARY BASIS SUCH INFORMATION AS THEY
CONSIDER NECESSARY TO ASSURE CONFIDENCE IN COMPLIANCE
WITH THE ASSUMED OBLIGATIONS. CONSULTATION AND CO-
OPERATION PURSUANT TO THIS ARTICLE MAY ALSO BE UNDERTAKEN
THROUGH APPROPRIATE INTERNATIONAL PROCEDURES WITHIN THE
FRAMEWORK OF THE UNITED NATIONS IN ACCORDANCE WITH ITS
CHARTER.

ARTICLE VI

(1) ANY STATE PARTY TO THE CONVENTION WHICH FINDS
THAT ANY OTHER STATE PARTY IS ACTING IN BREACH OF
OBLIGATIONS DERIVING FROM THE PROVISIONS OF THIS
CONVENTION MAY LODGE A COMPLAINT WITH THE SECURITY
COUNCIL OF THE UNITED NATIONS. SUCH A COMPLAINT SHOULD
INCLUDE ALL POSSIBLE EVIDENCE CONFIRMING ITS VALIDITY,
AS WELL AS A REQUEST FOR ITS CONSIDERATION BY THE
CONFIDENTIAL

PAGE 05 STATE 100009

SECURITY COUNCIL.

(2) EACH STATE PARTY TO THE CONVENTION UNDERTAKES TO
CO-OPERATE IN CARRYING OUT ANY INVESTIGATION WHICH THE
SECURITY COUNCIL MAY INITIATE, IN ACCORDANCE WITH THE
PROVISIONS OF THE UNITED NATIONS CHARTER, ON THE BASIS
OF THE COMPLAINT RECEIVED BY THE COUNCIL. THE SECURITY
COUNCIL SHALL INFORM THE STATES PARTIES TO THE CONVENTION
OF THE RESULTS OF THE INVESTIGATION.

ARTICLE VII

EACH STATE PARTY TO THE CONVENTION UNDERTAKES TO
PROVIDE OR SUPPORT ASSISTANCE, IN ACCORDANCE WITH THE
UNITED NATIONS CHARTER, TO ANY PARTY TO THE CONVENTION
WHICH SO REQUESTS, IF THE SECURITY COUNCIL DECIDES THAT
SUCH PARTY HAS BEEN EXPOSED TO DANGER AS A RESULT OF
VIOLATION OF THIS CONVENTION.

ARTICLE VIII

NOTHING IN THIS CONVENTION SHALL BE INTERPRETED AS
IN ANY WAY LIMITING OR DETRACTING FROM THE OBLIGATIONS
ASSUMED BY ANY STATE UNDER THE GENEVA PROTOCOL OF JUNE
17, 1925, FOR THE PROHIBITION OF THE USE IN WAR OF
ASPHYXIATING, POISONOUS OR OTHER GASES, AND OF BACTERIO-
LOGICAL METHODS OF WARFARE.

ARTICLE IX

EACH STATE PARTY TO THIS CONVENTION REAFFIRMS THE
RECOGNIZED OBJECTIVE OF THE COMPLETE PROHIBITION OF
CHEMICAL WEAPONS AND, TO THIS END, UNDERTAKES TO CONTINUE

NEGOTIATIONS IN GOOD FAITH WITH A VIEW TO REACHING AN
EARLY AGREEMENT ON THE PROHIBITION OF THE DEVELOPMENT,
PRODUCTION AND STOCKPILING OF ALL CHEMICAL MEANS OF
WARFARE AND ON THEIR DESTRUCTION AND ON APPROPRIATE
MEASURES CONCERNING EQUIPMENT AND MEANS OF DELIVERY
SPECIFICALLY DESIGNED FOR THE PRODUCTION OR USE OF
CHEMICAL AGENTS FOR WEAPON PURPOSES.

CONFIDENTIAL

PAGE 06 STATE 100009

----- ARTICLE X

THIS CONVENTION SHALL BE IMPLEMENTED IN A MANNER
DESIGNED TO AVOID HAMPERING THE ECONOMIC OR TECHNOLOGICAL
DEVELOPMENT OF STATE PARTIES TO THE CONVENTION OR
INTERNATIONAL CO-OPERATION IN THE FIELD OF PEACEFUL
CHEMICAL ACTIVITIES, INCLUDING THE INTERNATIONAL EXCHANGE
OF CHEMICAL AGENTS AND EQUIPMENT FOR THE PROCESSING,
USE OR PRODUCTION OF CHEMICAL AGENTS FOR PEACEFUL
PURPOSES IN ACCORDANCE WITH THE PROVISIONS OF THIS
CONVENTION.

----- ARTICLE XI

ANY STATE PARTY MAY PROPOSE AMENDMENTS TO THIS
CONVENTION. EACH PROPOSED AMENDMENT SHALL BE SUBMITTED
TO THE DEPOSITARY GOVERNMENTS AND SHALL BE CIRCULATED
BY THEM TO ALL PARTIES TO THE CONVENTION WHICH SHALL
INFORM THE DEPOSITARY GOVERNMENTS OF THE ACCEPTANCE OR
REJECTION OF THE AMENDMENT AFTER ITS RECEIPT AS SOON AS
POSSIBLE.

AMENDMENTS SHALL ENTER INTO FORCE FOR EACH STATE
PARTY ACCEPTING THE AMENDMENTS UPON THEIR ACCEPTANCE BY
A MAJORITY OF THE STATES PARTIES TO THE CONVENTION,
INCLUDING THE DEPOSITARY GOVERNMENTS, AND THEREAFTER FOR
EACH REMAINING STATE PARTY ON THE DATE OF ACCEPTANCE
BY IT OF THE AMENDMENTS.

----- ARTICLE XII

- (1) THIS CONVENTION SHALL BE OF UNLIMITED DURATION.
- (2) FIVE YEARS AFTER THE ENTRY INTO FORCE OF THIS
CONVENTION, OR EARLIER IF IT IS REQUESTED BY A MAJORITY

OF PARTIES TO THE CONVENTION BY SUBMITTING A PROPOSAL TO
THIS EFFECT TO THE DEPOSITARY GOVERNMENTS, A CONFERENCE
OF STATES PARTIES TO THE CONVENTION SHALL BE HELD AT
(BLANK) TO REVIEW THE OPERATION OF THIS CONVENTION, WITH
A VIEW TO ASSURING THAT THE PURPOSES OF THE PREAMBLE AND
THE PROVISIONS OF THE CONVENTION ARE BEING REALIZED. SUCH
CONFIDENTIAL

PAGE 07 STATE 100009

REVIEW SHALL TAKE INTO ACCOUNT ANY NEW SCIENTIFIC AND TECHNOLOGICAL DEVELOPMENTS RELEVANT TO THIS CONVENTION.

(3) EACH STATE PARTY TO THIS CONVENTION SHALL IN EXERCISING ITS NATIONAL SOVEREIGNTY HAVE THE RIGHT TO WITHDRAW FROM THE CONVENTION IF IT DECIDES THAT EXTRAORDINARY EVENTS, RELATED TO THE SUBJECT MATTER OF THIS CONVENTION, HAVE JEOPARDIZED THE SUPREME INTERESTS OF ITS COUNTRY. IT SHALL GIVE NOTICE OF SUCH WITHDRAWAL TO ALL OTHER STATES PARTIES TO THE CONVENTION AND TO THE UNITED NATIONS SECURITY COUNCIL THREE MONTHS IN ADVANCE. SUCH NOTICE SHALL INCLUDE A STATEMENT OF THE EXTRAORDINARY EVENTS IT REGARDS AS HAVING JEOPARDIZED ITS SUPREME INTERESTS.

----- ARTICLE XIII

(1) THIS CONVENTION SHALL BE OPEN TO ALL STATES FOR SIGNATURE. ANY STATE WHICH DOES NOT SIGN THE CONVENTION BEFORE ITS ENTRY INTO FORCE IN ACCORDANCE WITH PARAGRAPH (3) OF THIS ARTICLE MAY ACCEDE TO IT AT ANY TIME.

(2) THIS CONVENTION SHALL BE SUBJECT TO RATIFICATION BY SIGNATORY STATES. INSTRUMENTS OF RATIFICATION AND INSTRUMENTS OF ACCESSION SHALL BE DEPOSITED WITH THE GOVERNMENTS OF (BLANK) WHICH ARE HEREBY DESIGNATED THE DEPOSITARY GOVERNMENTS.

(3) THIS CONVENTION SHALL ENTER INTO FORCE AFTER THE DEPOSIT OF THE INSTRUMENTS OF RATIFICATION BY (BLANK) GOVERNMENTS, INCLUDING THE GOVERNMENTS DESIGNATED AS DEPOSITARIES OF THE CONVENTION.

(4) FOR STATES WHOSE INSTRUMENTS OF RATIFICATION OR ACCESSION ARE DEPOSITED SUBSEQUENT TO THE ENTRY INTO FORCE OF THIS CONVENTION, IT SHALL ENTER INTO FORCE ON THE DATE OF THE DEPOSIT OF THEIR INSTRUMENTS OF RATIFICATION OR ACCESSION.

(5) THE DEPOSITARY GOVERNMENTS SHALL PROMPTLY INFORM CONFIDENTIAL

PAGE 08 STATE 100009

ALL SIGNATORY AND ACCEDING STATES OF THE DATE OF EACH SIGNATURE, THE DATE OF DEPOSIT OF EACH INSTRUMENT OF RATIFICATION OR OF ACCESSION AND THE DATE OF THE ENTRY

INTO FORCE OF THIS CONVENTION, AND OF THE RECEIPT OF OTHER NOTICES.

(6) THIS CONVENTION SHALL BE REGISTERED BY THE DEPOSITARY GOVERNMENTS PURSUANT TO ARTICLE 102 OF THE CHARTER OF THE UNITED NATIONS.

----- ARTICLE XIV

THIS CONVENTION, THE CHINESE, ENGLISH, FRENCH, RUSSIAN AND SPANISH TEXTS OF WHICH ARE EQUALLY AUTHENTIC, SHALL BE DEPOSITED IN THE ARCHIVES OF THE DEPOSITARY GOVERNMENTS. DULY CERTIFIED COPIES OF THIS CONVENTION SHALL BE TRANSMITTED BY THE DEPOSITARY GOVERNMENTS TO THE GOVERNMENTS OF THE SIGNATORY AND ACCEDING STATES.

IN WITNESS WHEREOF THE UNDERSIGNED, DULY AUTHORIZED, HAVE SIGNED THIS CONVENTION.

DONE IN (BLANK) COPIES AT (BLANK), THIS (BLANK) DAY OF (BLANK). KISSINGER

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<< END OF DOCUMENT >>

Message Attributes

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